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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/873,997

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Pan-Jin Kim

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08/10/2005

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EXAMINER

LONSBERRY, HUNTER B

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/873,997

Applicant(s)

KIM ET AL.

Examiner

Hunter B. Lonsberry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 15-16 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,002,394 to Schein in view of U.S. Patent 6,763,522 to Kondo.

Regarding claim 15, Schein discloses a method for displaying channel information on a digital television for receiving digital multi-channel television broadcasts (column 6, lines 37-41) comprising the steps of:

Displaying a channel select menu on a television screen in response to a demand from the user (Figure 17b, column 22, lines 47-61, Figure 16a, column 21, lines 20-30, 61-column22, line 1), wherein the channel select menu includes a scroll bar window 20 having a scroll bar moving area split into predescribed areas (up and down area and indicator of current place within the channel listings) so as to cover all

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received channels and includes a channel window for displaying channel numbers of partial channels corresponding to a position of the scroll bar (column 21, line 61-column22, line 1)

Determining if said scroll bar moves (column 21, lines 32-42, 61-65), and changing channel numbers on said channel numbers on said channel window to channel numbers of channels corresponding to a position of said scroll bar (column 21, line 61-column22, line 1, the channels listed in 506 change as the user scrolls).

Schein fails to disclose displaying major and minor channel numbers.

Kondo discloses a major and minor channel number display system, which displays the minor channel numbers 50 in order along with a major channel number 51 (figure 2c, column 6, lines 41-66), thus enabling easy navigation of the sub channels and allowing a program provider to broadcast multiple channels.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Schein to utilize the major and minor channels of Kondo, thus enabling easy navigation of the sub channels and allowing a program provider to broadcast multiple channels.

Regarding claim 16, Schein discloses determining if one of the channel numbers displayed on channel window 506 is selected (column 12, lines 19-31),

and if the channel number is selected selecting a channel of the selected channel number (column 21, lines 19-31).

Regarding claim 17, Kondo is relied upon to teach displaying the channel numbers corresponding to the minor channels without displaying the channel number corresponding to the major channel (figure 2c).

3. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,002,394 to Schein in view of U.S. Patent 6,763,522 to Kondo in further view of U.S. Patent 6,137,539 to Lownes.

Regarding claim 18, the combination of Schein and Kondo discloses displaying minor channel numbers.

The combination of Schein and Kondo fails to disclose displaying a corresponding major channel number.

Lownes discloses displaying a Major channel number (column 6, lines 40-63) so that it is easy to recognize a channel by the number it is known in its local community.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Schein and Kondo to display a major channel number so that it is easy to recognize a channel by the number it is known in its local community.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HBL



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